

THE WHITE HOUSE
WASHINGTON

SECRET

October 31, 1963

NSC REFERRAL NOT REQUIRED

NATIONAL SECURITY ACTION MEMORANDUM NO. 269

TO: The Secretary of State
The Secretary of Defense
The Chairman of the Atomic Energy Commission
The Director of Central Intelligence
The Chairman of the Joint Chiefs of Staff
The Director of Arms Control and Disarmament Agency
The Special Assistant to the President for Science
and Technology

SUBJECT: Procedure for Approval of Certain Nuclear Tests

The President has directed that the following procedure be instituted for the review and approval of nuclear tests that might violate or be regarded as violating the Nuclear Test Ban Treaty. A nuclear test that is intended to be fully contained underground will be included in this category if there is a significant possibility that the test will place measurable amounts of radioactive debris beyond the boundaries of the United States under circumstances in which the debris could be credibly related to the test. Any other nuclear test which by its nature could reasonably give rise to domestic or foreign charges of a violation of the Nuclear Test Ban Treaty will be included in this category even though the sponsoring agency believes that the charges would prove to be unfounded.

1. In planning the nuclear test program, the Atomic Energy Commission and Department of Defense will make every effort to avoid tests that might be regarded as being a violation of the Nuclear Test Ban Treaty. It is recognized that this will be a matter of judgment since the Nuclear Test Ban Treaty does not contain precise technical criteria as to the nature of prohibited tests.

2. If the Atomic Energy Commission or the Secretary of Defense believes after careful study that a particular test should remain in the program despite the possibility that it might give rise to a claimed violation of the Nuclear Test Ban Treaty, the sponsoring agency will submit the test for review by a committee, under the chairmanship

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of the Special Assistant to the President for National Security Affairs, composed of the Secretary of State, Secretary of Defense, Chairman of the Atomic Energy Commission, Director of Central Intelligence, Chairman of the Joint Chiefs of Staff, Director of the Arms Control and Disarmament Agency and the Special Assistant to the President for Science and Technology, or their designated representatives.

3. In support of the proposals for each nuclear test of this type, the sponsoring agency will prepare for the reviewing committee a detailed study of the importance of the proposed test and the possible direct or indirect effects associated with the test that might be regarded as evidence of a violation of the Nuclear Test Ban Treaty. The study of effects associated with the test will include an analysis of a) the anticipated distribution of particulate and gaseous radioactive debris under the full range of possible meteorological conditions; b) the extent to which blast, electromagnetic, and other direct radiation phenomena associated with the test will occur in the atmosphere; c) the possibility that various foreign countries would be able to detect the anticipated level of radioactive debris and other phenomena associated with the tests with their detection instrumentation; d) visible phenomena in the vicinity of the test site; and e) planned or expected publicity.

4. The reviewing committee will be given sufficient notice of proposals for nuclear tests of this type to permit adequate consideration by the committee and any necessary action with minimum impact on the program in question.

5. If the committee finds that the proposed test is acceptable under the Nuclear Test Ban Treaty, the committee will submit its recommendation to the President for his approval. No test of this type will be conducted without the approval of the President after the procedure prescribed in this memorandum.

McGeorge Bundy

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November 6, 1963

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MEMORANDUM FOR HOLDERS OF NSAM'S NOS. 210 AND 269

SUBJECT: Review Committee on Underground Nuclear Tests

1. In view of the close similarity of the composition and functions of the committees established under NSAM's Nos. 210 and 269, the two committees have been combined into a committee to be called the "Review Committee on Underground Nuclear Tests".

2. The Review Committee, under the chairmanship of the Special Assistant to the President for National Security Affairs, will be composed of the Secretaries of State and Defense, the Chairman of the Atomic Energy Commission, the Director of Central Intelligence, the Chairman of the Joint Chiefs of Staff, the Director of the Arms Control and Disarmament Agency, the Director of the Bureau of the Budget, and the Special Assistant to the President for Science and Technology, or their designated representatives.

3. The Review Committee will perform the functions specified in NSAM's Nos. 210 and 269 which the new Committee will replace.

McGeorge Bundy
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EXECUTIVE MEMORANDUM

REPORT OF THE COMMISSIONER

541-1 November 1963

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